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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/024,923	02/17/1998	DAN KIKINIS	P3295	8936

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CENTRAL COAST PATENT AGENCY
PO BOX 187
AROMAS, CA 95004

EXAMINER

KWOH, JASPER C

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 11/27/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/024,923	Applicant(s) KIKINIS
Examiner Jasper Kwoh	Art Unit 2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Sep 7, 2001
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1, 3-7, 9-13, and 15-17 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1, 3-7, 9-13, and 15-17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) Notice of References Cited (PTO-892) 18) Interview Summary (PTO-413) Paper No(s). _____
- 16) Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) Notice of Informal Patent Application (PTO-152)
- 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 5-7, 11-13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. in view of Iwami et al.

Regarding claims 1 and 13, Williams et al. discloses bridge unit comprising: a trunk-line port for receiving and placing COST calls (i.e. 14, 15); a data network port for receiving and placing IPNT calls (i.e. 15, 10); conversion circuitry (i.e. 15); control routines wherein a first call is dynamically converted and placed on the other network (i.e. col. 5, ll. 15-25). Williams does not specifically disclose dynamically allowing two people to engage in a live conversation where one is on the internet and the other is on a COST network. However Iwami et al. teaches a live conversation where one person is on a COST network (i.e. 3) and other on internet (i.e. fig. 1; col. 17, ll. 47-55; the LAN transports IP therefore, it is part of the internet). It would have been obvious to an ordinary person skilled in the art at the time of the invention to include dynamically allowing two people to engage in a live conversation where one is on the internet and the other is on a COST network as taught by Iwami et al. with the bridge unit of Williams et al. in order to increase the flexibility of the system by allowing at least one of the caller to use the multimedia computer to communicate instead of a telephone.

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Regarding claim 7, Williams et al. discloses a method for converting calls comprising: connecting a COST trunk line to a trunk-line port (i.e. 14, 15); connecting a data network line to a data network port (i.e. 15, 16); receiving a first call (i.e. fig. 1A); placing a second call (i.e. 1B); and dynamically convert data (i.e. col. 5, ll. 15-25). Williams does not specifically disclose dynamically allowing two people to engage in a live conversation where one is on the internet and the other is on a COST network. However Iwami et al. teaches a live conversation where one person is on a COST network (i.e. 3) and other on a internet (i.e. 1; col. 17, ll. 47-55; the LAN transports IP therefore, it is part of the internet). It would have been obvious to an ordinary person skilled in the art at the time of the invention to include dynamically allowing two people to engage in a live conversation where one is on the internet and the other is on a COST network as taught by Iwami et al. with the bridge unit of Williams et al. in order to increase the flexibility of the system by allowing at least one of the caller to use the multimedia computer to communicate instead of a telephone.

Regarding claim 15, Williams et al. disclose the first network being a PSTN (i.e. 11-14) and the second the internet (i.e. 10).

Regarding claims 5-6 and 11-12, Williams et al. do not specifically disclose negotiating with the caller to ascertain the number using an interactive voice response unit (IVR). However, Iwami et al. teach the use of IVR (i.e. fig. 5) in a voice communication system to obtain the desired address or phone number (i.e. abstract). It would have been obvious to an ordinary person skilled in the art at the time of the invention to include an IVR to audibly receive the

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desired information as taught by Iwami et al. with the system and method of Williams et al. in order to provide customers with greater ease and friendlier atmosphere when placing a call.

3. Claims 3-4 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. in view of Iwami et al further in view of Ito et al.

Williams et al. does not specifically discloses retrieving IP address using a telephone number and accessing a look-up table to place a call. However, Ito et al. discloses address using a telephone number and accessing a look-up table to place a call (i.e. 4). It would have been obvious to an ordinary person killed in the art at the time of the invention to include a converting table as taught by Ito et al. with the method and apparatus of Williams et al. in order to route calls from IP environment to PSTN and vis versa.

4. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. in view of Iwami et al.

Williams do not specifically disclose a bridge between two COST or DNT. However, Williams teaches that two different networks with two different protocols needs to be connected by a bridge as described above. Therefore it would have been obvious to modify by including converting protocols of two COST and two DNT with the bridge as described above in order to have the user to communicate through different systems.

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Response to Arguments

5. Applicant's arguments filed 9/7/01 have been fully considered but they are not persuasive.

Applicant asserts that Iwami's teaching is limited to the LAN. Examiner respectfully disagrees. In col. 17, ll. 47-55; the LAN transports IP; therefore, it is part of the internet as the packets are formatted to be transported on the internet.

Applicant also asserts that Williams does not teach a computerized telephony bridge unit. Examiner respectfully disagrees. William has two units that performs both functions. It is clear from the reference that each RBOC and HOST preform both functions converting between phone call and packets and vice versa. If what the applicant assert is true, then this will be a one way communication, and the caller will not be able to hear the person calling.

Applicant also asserts Williams does not clearly disclose a trunk line port and assiated circuitry. It is inherent that if there is trunk line connecting to a switch and/or server, there exists at least one port for the connection at the switch or server. In addition, in order for the hardware to perform the conversion, there exists circuitry to perform the conversion either hard-wired or using additional software. Therefore, Williams does disclose trunk-line port and associated circuitry as claimed.

Applicant asserts Williams does not read on the claimed invention because the claimed invention is not exactly the same as the art. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413,

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208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The references as combined above reflects the invention as claimed. Therefore, the rejection is maintained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasper Kwoh whose telephone number is (703) 305-0101.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen, can be reached on (703) 308-5340.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

8. Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications; please mark "EXPEDITED PROCEDURE")

Or:

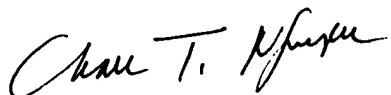
(703) 305-3988 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Jasper Kwoh



November 16, 2001



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